

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 19, 2003

IN RE:

COMPLAINT OF BEN LOMAND  
COMMUNICATIONS, INC. AGAINST  
CITIZENS COMMUNICATIONS COMPANY  
OF TENNESSEE, LLC d/b/a FRONTIER  
COMMUNICATIONS OF TENNESSEE

DOCKET NO.  
02-01221

---

ORDER GRANTING JOINT MOTION TO RESET HEARING DATE AND  
SET PRE-HEARING STATUS CONFERENCE

---

This docket came before the Hearing Officer for consideration of the *Joint Motion to Reset Hearing Date and Set Pre-Hearing Status Conference* ("Joint Motion") filed by the attorneys for the parties on August 1, 2003. The *Joint Motion* requests that the Hearing date be continued, seeks to adjust the procedural schedule previously established in this matter by an order dated June 24, 2003 and asks that a status conference be set to address discovery disputes between the parties.

The *Joint Motion* requests the Hearing be moved from the scheduled date of September 22, 2003 because of scheduling conflicts.<sup>1</sup> The *Joint Motion* also includes a request for a status conference during the week of August 25, 2003 to address unsettled discovery disputes.

On August 20, 2003, as a result of the parties' request, the Hearing Officer issued a Notice setting a status conference for August 29, 2003 for the purpose of addressing procedural and discovery issues and other matters as warranted. On August 29, 2003, counsel for Citizens

---

<sup>1</sup> The parties asked for a hearing date of either October 6th and 7th, 2003 or October 20th and 21st, 2003.

Telecommunications Company, LLC filed a letter advising the Hearing Officer that the parties were meeting during the morning of August 29, 2003 to attempt to resolve remaining discovery disputes. Thereafter on August 29, 2003, counsel for each party notified the acting Hearing Officer<sup>2</sup> via telephone that the parties were still working to resolve the disputes and asked that the status conference scheduled for that day be rescheduled. Counsel for each party advised the Hearing Officer that a status conference was not necessary at that time. The parties agreed to provide, in advance of resetting the status conference, a letter to the Hearing Officer outlining the remaining discovery disputes to be resolved.

The Hearing Officer finds the requested relief and the stated grounds for relief to be reasonable and that the *Joint Motion* is well taken. Therefore, pursuant to TRA Rule 1220-1-2-.22, the Hearing Officer concludes that the *Joint Motion* should be granted, that the Hearing set for September 22, 2003 is continued until further notice and that the status conference be reset.

**IT IS THEREFORE ORDERED THAT:**

1. The procedural schedule is hereby modified such that the Hearing scheduled for September 22, 2003 shall be continued until further notice.
2. The parties are directed to file, either jointly or separately, documentation informing the Hearing Officer of the status of all remaining discovery disputes within ten (10) days of the date of this Order.
3. A status conference shall be reset after the parties have provided the information requested in Paragraph 2 above.

  
Randal Gilliam, Hearing Officer

---

<sup>2</sup> General Counsel Richard Collier acted on behalf of the Hearing Officer in place of Randal Gilliam during the telephone conference call with the parties.